

3. The rescheduled hearing date is the Tuesday morning following Thanksgiving weekend. The November 30, 2010 hearing date poses travel problems for California counsel for Ven-A-Care and the State. Immediately on receiving notice of the hearing's rescheduled date of November 30, 2010, California counsel attempted to re-book their flights for Sunday, November 28. That proved impossible as that is the last day of the Thanksgiving weekend, and no Southwest flights (California's contracted carrier) had any remaining seats. Scheduling flights for the Monday before the hearing (the day before the hearing) is now significantly more expensive for the State and would mean a late night arrival the night before the hearing.

4. Plaintiffs have consulted with counsel for Defendants, all of whom provided Plaintiffs with their respective available dates between November 30 and December 24.

5. All parties are available to attend a hearing on December 22.

CONCLUSION

For the foregoing reasons, Plaintiffs respectfully request that the Court reschedule the pending hearing date on the Motions from November 30, 2010 to December 22, 2010 or another appropriate date.

Dated: November 10, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Nicholas N. Paul, hereby certify that on November 10, 2010, I caused a true and correct copy of the foregoing, **PLAINTIFFS' UNOPPOSED MOTION TO RESCHEDULE HEARING ON SUMMARY JUDGMENT MOTIONS**, to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Nicholas N. Paul
NICHOLAS N. PAUL